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Convention on the Rights of Persons with Disabilities

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Conference of States Parties to the Convention on the Rights of Persons with Disabilities
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Item 3 of the provisional agenda*

Election of the members of the Committee on the Rights of Persons with Disabilities

Note by the Secretary-General

I. Introduction

1. The present document is intended to inform the States Parties to the Convention on the Rights of Persons with Disabilities of the election procedures that will be followed during the third session of the Conference of States Parties. The procedures outlined below are based on the relevant provisions of the Convention and on established practice in respect of elections to fill new seats arising from an increase in the membership of human rights treaty bodies.

II. Membership of the Committee on the Rights of Persons with Disabilities

2. In accordance with article 34, paragraph 2, of the Convention, the Committee consists of 12 members. Article 34, paragraph 2, of the Convention provides that, after an additional 60 ratifications or accessions to the Convention, the membership of the Committee shall increase by 6, attaining a maximum number of 18 members.

3. At the first session of the Conference of States Parties in 2008, 12 members were elected to the Committee. In accordance with article 34, paragraph 7, of the Convention, those members were elected for a term of four years and are eligible for re-election once. In accordance with the same provision, the term of 6 of the members elected at the first election shall expire at the end of two years. Immediately after the first election, the names of those 6 members were chosen by lot by the Chair of the Conference. The term of the 6 members so chosen expires on 31 December 2010.

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4. At its present session, the Conference will be required to elect six members of the Committee to fill the vacancies that will occur on 31 December 2010 and the six new seats occasioned by the increase in the number of ratifications or accessions.

III. Nomination of candidates and voting procedures

5. Pursuant to article 34, paragraph 6, of the Convention, all States parties to the Convention were requested by a note verbale dated 3 May 2010 to submit nominations for membership in the Committee by 1 July 2010. In accordance with the same provision, the Secretariat shall compile a list of all persons thus nominated, indicating the States parties which have nominated them, and submit it to the States parties.

6. The election will be based on the list of candidates and on rules 17 to 19 of the rules of procedure of the Conference of States Parties.

7. At its third session, the Conference of States Parties will first address the election of six members to replace those whose terms of office will expire on 31 December 2010. In accordance with rule 19 of the rules of procedure, the six nominees who obtain in the first ballot the largest number of votes and an absolute majority of the votes of the representatives of States parties present and voting will be elected as members of the Committee. If the number of candidates obtaining such majority is less than six, there shall be additional ballots, restricted to the candidates who obtained the largest number of votes in the previous ballot, with the number of candidates limited to not more than twice the places remaining to be filled. After the third inconclusive ballot, votes may be cast for any eligible nominee.

8. Following the election of the first six members of the Committee, the Conference of States Parties will elect the six additional members, in accordance with the procedure set out above and rules 17 to 19. The six additional members will be elected from among the nominees not already elected under the procedures outlined in paragraph 7 above.

IV. Terms of office

9. In conformity with article 34, paragraph 7, of the Convention, the members of the Committee elected to take the place of the six members whose terms expire on 31 December 2010 shall have a term of four years.

10. Of the six additional members to be elected by the Conference of States Parties, the terms of three shall expire after two years, on 31 December 2012. The names of those members shall be chosen by lot by the Chair of the Conference. The remaining three members shall serve for a term of four years, to expire on 31 December 2014.